

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Christopher Jason Thompson,

Plaintiff,

Case No. 3:24-cv-086

v.

District Judge Thomas M. Rose

Scott Springhetti, et al.,

Magistrate Judge Chelsey M. Vascura

Defendants.

**ORDER OVERRULING OBJECTION (DOC. 6) AND ADOPTING
REPORT AND RECOMMENDATION. (DOC. 4.) PLAINTIFF'S
CLAIMS ARISING OUT OF THE FORCIBLE ADMINISTRATION OF
THE COVID TEST AND PLAINTIFF'S CLAIMS FOR EXCESSIVE
FORCE AND EQUAL PROTECTION VIOLATIONS ARE DISMISSED.**

Before the Court is the Report and Recommendation of Magistrate Judge Chelsey M. Vascura upon initial screening of Plaintiff's Complaint, (Doc. 1-2), recommending that the Court dismiss Plaintiff's claims arising out of an alleged forcible administration of a COVID test for lack of subject-matter jurisdiction and further recommending that the Court dismiss Plaintiff's claims for excessive force and equal protection violations for failure to state a claim on which relief can be granted. (Doc. 4). Objections were due April 10, 2024, but have not been filed.

The Court has reviewed the findings of the Magistrate Judge and, pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), this Court has made a *de novo* review of the

record in this case. Upon consideration of the foregoing, the Court **ADOPTS** the Report and Recommendations (Doc. 4) in its entirety. Plaintiff's claims arising out of the forcible administration of the COVID test and Plaintiff's claims for excessive force and equal protection violations are **DISMISSED**. Plaintiff's remaining claims continue to be referred to Magistrate Judge Vascura.

DONE and **ORDERED** this Monday, May 30, 2024.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE